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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,291

11/14/2003

Ho Ling Wu

JP3009-US-0448

5233

7590

03/28/2005

EXAMINER

HUANG, SIHONG

Ho Ling Wu
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TAIWAN

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/715,291

Applicant(s)

WU, HO LING

Examiner

Sihong Huang

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to because of the following informalities found in Fig. 3:

1) blank boxes (1, 3 and 4) which do not correspond to conventional well recognized sample should be labeled.

2) the arrow of joint D of the second relay 7 is pointed to the wrong location. It should be pointed to the joint circle at the lower right corner of the second relay 7 (see page 3, line 24 of the specification and the last line of claim 2).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:

On page 3, line 18, "C" should be changed to -- E --.

On page 3, line 21, "A" should be changed to -- E --.

On page 3, line 23, "drives" should be changed to -- driver --.

Appropriate correction is required.

3. Claims 1-3 are objected to because of the following informalities:

In claim 1, line 12, "the transmitter" should be changed to -- the transmitter of the first vehicle -- for clarity.

In claim 2, line 5, "joint A" should read -- joint E --.

In claim 2, lines 7-8, "when the second coil actuate" should be changed to -- when the second coil is actuated -- for clarity.

In claim 2, line 9, "drivers" should read -- driver --.

In claim 2, line 10, "decelerated" should read -- decelerate --

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by King (US Pat. No. 6,359,552 B1).

King disclosed a vehicle braking alert system installed in a vehicle comprising:

a receiver (14) installed at a head portion of the vehicle (see Fig. 2) for receiving signals from a front vehicle (e.g., vehicle 30 in Fig. 3); and transferring the received signals;

a transmitter (16) at a rear end of a vehicle (see Fig. 2 and col. 3, lines 7-8) for emitting signals to a vehicle (e.g., vehicle 40) behind the vehicle having the transmitter;

a braking indicator (22) at rear side of the vehicle (see Fig. 2) for indicating a braking condition of the vehicle (col. 3, lines 14-21); and

a signal processor (28 and the inherent electrical circuitry which connects receiver 14, transmitter 16, sensor and brake warning device 22) receiving signals transferred from the receiver for determining to cause the transmitter to emit signals (col. 3, lines 22-25) or cause the braking indicator to light up (col. 3, lines 14-17); wherein by above components, when a first vehicle (e.g., vehicle 40) installed with the vehicle braking alert system brakes, the transmitter (16) of the first vehicle will emit signals to a second vehicle (e.g., vehicle 50) behind the first vehicle and installed the vehicle braking alert system; the second vehicle receives the signals from the first vehicle (40) so as to light up the braking indicator (22) at the rear side thereof to alert another vehicle behind the second vehicle (e.g., vehicles behind vehicle 50). See Fig. 3 and col. 3, lines 41-57).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over King (US Pat. No. 6,359,552 B1) in view of Copsy (US Pat. No. 3,210,726).

King differs from claim 3 of the present invention in that King does not specifically show a braking treadle which has two joints. However, Copsy, from the same field of endeavor, similarly teaches a multiple vehicles brake actuated automatic stop light warning system in which a braking treadle or pedal (100) has two joints (see 106 in Fig. 2). Copsy further teaches that when the vehicle is braked (that is, when the driver actuates the foot pedal 100, the switch 106 is closed), the two joints are connected to actuate the signal processor (e.g., 108) to transmit signals and turn on the braking indicator 104 (col. 3, line 75 to col. 4, line 8). As King disclosed that the braking indicator 22 is illuminated due to the manual application of the brakes (col. 3, lines 33-35), it would have been obvious to a person having ordinary skill in the art at the time of the invention to employ such well known simple brake pedal contacts or switch as taught by Copsy in the system of King instead of using an acceleration sensor for detecting sudden deceleration in order to provide a simpler design and save manufacturing costs.

Allowable Subject Matter

8. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not fairly teach or render obvious the specific arrangement of the two

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relays as recited in claim 2 in combination with limitations recited in claim 1.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Atkinson (US Pat. No. 5,735,491) and Perez et al. (US Pat. No. 6,714,127 B2) are cited to show a vehicle mounted warning system comprising a receiver for receiving a signal transmitted from a transmitter outside of the vehicle and the system provides a warning signal to the driver of the vehicle in response to the received signal.

Panizza (US Pat. No. 4,706,086) and Brillard et al. (US Pat. No. 5,289,182) are cited to show communication and automatic signaling between vehicles.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sihong Huang whose telephone number is 571-272-2958. The examiner can normally be reached on Mon, Thu & Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Sihong Huang
March 17, 2005

A handwritten signature in black ink, consisting of stylized, overlapping loops and strokes, positioned to the right of the typed name and date.